

REMARKS

This is a full and timely response to the non-final Official Action mailed **April 14, 2004** (Paper No. 9). Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

By the forgoing amendment, new claims 36-42 have been added. The specification and original claims have not been amended. Thus, claims 1-42 are currently pending for the Examiner's consideration.

The only issues raised in the outstanding Office Action were rejections of the claims based on U.S. Patent No. 5,754,651 to Blatter et al. ("Blatter"). Specifically, claims 1-13 and 17-35 were rejected as anticipated under 35 U.S.C. § 102(b) by Blatter, and claims 14-16 were rejected as unpatentable under 35 U.S.C. § 103(a) over the teachings of Blatter taken alone. For at least the following reasons, these rejections are respectfully traversed.

In actuality, the teachings of Blatter are wholly irrelevant to the claimed invention. For the sake of context, Applicant would like to point out that Blatter deals with a receiver or set-top terminal that is receiving a data stream, e.g., a cable television signal, and outputting a particular program from the data stream to a television set. (Col. 3, lines 51-54). The particular program output for display is selected by a user with a remote control unit. (Col. 4, lines 32-35).

In contrast, Applicant's specification deals with the head-end (the other end) of a cable or satellite television system. In modern two-way systems, the head-end is able to receive up-stream messages from any of the set-top terminals connected to the network. Different set-top terminals may use different channels to send messages up-stream to the

head-end. Thus, the head-end must monitor a number of different channels for messages from the set-top terminals. Applicant's specification provides a way of minimizing the hardware required for the head-end to adequately monitoring the various channels for messages from set-top terminals. The teachings of Blatter, in contrast, have nothing to do with a head-end and are entirely irrelevant to the claims.

Specifically, claim 1 recites:

An apparatus for extracting messages from a digital data stream containing messages, comprising:

a message processor that receives the digital data stream and extracts message portions from the digital data stream;

a first buffer having a plurality of locations associated with a plurality of channels to store the extracted message portions; and

a second buffer having a plurality of locations associated with the plurality of channels for storing state data corresponding to the extracted message portions.

(emphasis added)

Claim 3 also recites: “a first buffer having a plurality of locations associated with a plurality of channels to store the extracted message portions; and a second buffer having a plurality of locations associated with the plurality of channels for storing state data corresponding to the extracted message portions.”

Claim 24 similarly recites: “storing said at least a portion of the message in a first buffer associated with said message processor; and storing state data corresponding with said at least a portion of the message in a second buffer.”

In contrast, Blatter teaches a buffer 60 that is divided into four different buffers. (Col. 5, lines 36-37). “One of the buffers is assigned to hold data destined for use by controller 115 and the other three buffers are assigned to hold packets that are destined for use by

application devices 75, 80 and 85.” (Col. 5, lines 37-40). “Application control unit 70 sequentially retrieves the audio, video, caption and other data from the designated buffers in buffer 60 and provides the data to corresponding application devices 75, 80 and 85. The application devices comprise audio and video decoders 80 and 85 and high speed data port 75.” (Col. 6, lines 27-32).

Thus, Blatter teaches four buffers that correspond to controller data, audio data, video data and caption data. Blatter does not teach or suggest “a first buffer having a plurality of locations *associated with a plurality of channels* to store the extracted message portions” as claimed (emphasis added). Moreover, Blatter does not teach or suggest “a second buffer having a plurality of locations associated with the plurality of channels for storing state data corresponding to the extracted message portions” as claimed.

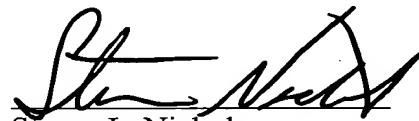
Blatter also fails to teach or suggest the subject matter of most of the dependent claims originally filed in the application. For example, Blatter does not teach or suggest a “packet identifier filter [that] provides at least one selected from the group consisting of mode control, filtering control, enable control and masking control for each channel in the message processor.” (Claim 7). Blatter does not teach or suggest a “message processor [that] includes: a processor state machine shared between the plurality of channels, wherein the state data from the processor state machine is stored in the second buffer; an address filter control circuit; and a verification circuit that calculates a verification code and compares the calculated verification code with an embedded verification code in the message portion in the packet data.” (Claim 17).

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Consequently, the rejection of claims 1-35 based on Blatter should be reconsidered and withdrawn.

The newly added claims are also thought to recite subject matter that is not taught or suggested by the prior art of record, such as, for example "a first buffer having a first plurality of locations each associated with a different incoming message where portions of that respective message are stored until that message is complete." Therefore, examination and allowance of the newly added claims is respectfully requested.

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If any fees are owed in connection with this paper which have not been elsewhere authorized, authorization is hereby given to charge those fees to Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,



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